



THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit: 3627
Examiner: Elaine L. Gort

Confirmation No. 7604

IN RE THE APPLICATION OF:

INVENTORS: LIVESAY

APPLICATION NO.: 09/672,938

FILING DATE: 28 SEPTEMBER 2000

TITLE: PROCESS AND SYSTEM FOR MATCHING BUYERS AND
SELLERS OF GOODS AND/OR SERVICES

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

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Date of Deposit: 16 October 2003

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Signature:

Name: Jane Lalis

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OCT 24 2003

Sir:

This letter is in response to an Office action dated 16 September 2003 requiring restriction of the claims under 35 U.S.C. § 121 to one of three patentably distinct inventions as follows:

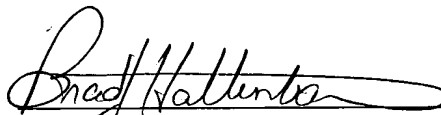
- I. Claims 1-42, 95-101, 129-138, and 146-154 drawn to a process for matching buyers and sellers;
- II. Claims 43-94, 102-109, 139-145, and 155-163 drawn to a system for matching buyer and sellers; and
- III. Claims 110-128 and 164-172 drawn to a computer readable medium for matching buyers and sellers.

The Office action further contends that presently no claim appears to be generic to each of these species.

Pursuant to 37 C.F. R. § 1.142, Applicants elect for prosecution claims directed to invention III encompassing claims to a computer readable medium, without waiving the right to reinstatement of the non-elected claims.

This reply is filed within the first month following the Office action, which provided for a one month shortened statutory response period, therefore, it is believed that no fees are required with the submission of this response. Should the Office determine that a fee is required, the Office is authorized to charge deposit account no. 04-1415.

Respectfully submitted this 16th day of October 2003.

A handwritten signature in cursive script, reading "Brad J. Hattenbach", written over a horizontal line.

Brad J. Hattenbach, Esq.
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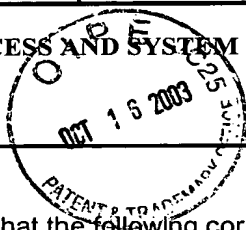
3627

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Applicant(s): Jeff A. LIVESAY

Docket No.

485/US/1 (4969.02)

Serial No.
09/672,938Filing Date
28 September 2000Examiner
Elaine L. G rtGroup Art Unit
3627Invention: **PROCESS AND SYSTEM FOR MATCHING BUYERS AND SELLERS OF GOODS AND/OR SERVICES**

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16 October 2003*(Date)*Jane Lalish/Dorsey & Whitney LLP*(Typed or Printed Name of Person Mailing Correspondence)*

A handwritten signature in cursive script, appearing to read "Jane Lalish".

*(Signature of Person Mailing Correspondence)*EV 410 058 261 US*("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**

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